

REMARKS

Examiner Cooley is thanked for the courtesy extended during the Office Interview on January 15, 2009.

The Interview Summary is believed to accurately reflect what was discussed and agreed to during the Interview.

Reconsideration of the objection to the Drawings is hereby requested. A new set of Replacement Sheets are submitted herewith. Therefore, reconsideration of this objection is respectfully requested.

Reconsideration of the rejection of Claims 1, 3, 4, 6-15 and 17 under 35 U.S.C. §102(b) as being anticipated by FR 2057600, the rejection of Claims 1-4 and 6-17 under 35 U.S.C. §102(b) as being anticipated by Figgner et al. (U.S. Patent No. 5,593,377) and the rejection of Claims 1, 3-8, 10-15 and 17-21 under 35 U.S.C. §102(b) as being anticipated by Feldkamp et al. (U.S. Patent Publication Application No. 2004/0058796) is hereby requested.

As stated in the Interview Summary, "A revision to claim 1 was discussed that appears to define over the applied art. The orientation of the plate with respect to the weir passage opening (see Fig. 4) will be claimed...". Accordingly, Claim 1 has been amended as agreed, including adding the word "annular" before "deflector plate" in line 6 of Claim 1. The weir passage opening, however, can be seen in Figs. 1, 3 and 4 although the weir 4 and passage opening 5 are identified in Figs. 1 and 3. The Specification has been amended at paragraphs [00039] and [00048] to reflect the amendment to Claim 1. Such amendment is not considered new matter in that the amendment to Claim 1 is disclosed in the Drawings which are part of the disclosure. Therefore, Claims 1-21 are considered to have overcome the above rejections and such is respectfully requested.

In view of the above, Claims 1-21 are believed to be in condition for allowance and such is respectfully requested.

In view of all of the above, the Application is now in condition for allowance and such is hereby requested.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in other fees be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg LLP, Deposit Account No. 02-1010 (677/45189).

Respectfully submitted,



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Enclosure(s): Amendments to the Specification
Amendments to the Claims
Amendments to the Drawings (Replacement Sheets)

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